

Weare Conservation Commission
Final Minutes
January 14, 2004

In attendance were: Tom Carr, Andy Fulton, Pat Myers, and Ellen Dokton

Meeting commenced at 7:10 P.M.

1. **Minutes** – Ellen Dokton read the minutes of the December 10, 2003 Conservation Commission meeting. The changes are as follows: in item #3 strike the word “land” and leave “wetland.” In item #9, change to SPNHF. Andy Fulton moved to accept the minutes with changes. Pat Myers seconded. Tom Carr abstained since he was not present at the meeting. The minutes were accepted.
2. **Guests** –
 - a. **Steve Walker** from LCIP: Tom Carr submitted the WCC monitoring report. The purpose of Steve’s visit was to introduce himself. LCIP visits conservation commissions once every 3-4 years. Every five years they make a field visit to each of the protected properties. There are 78 community properties overseen by LCIP and 238 protected parcels. This number increases since the same land area may be subdivided leading to more parcels. Steve gave the WCC a packet that includes the “how tos” of effective monitoring. The material is available electronically on the Granite System website: <http://granitewev.sr.unh.edu> . The granite Conservation viewer is included in the packet. This shows all the conservation land in NH up to about 1 year ago. Aerial photos are from 1998. LCIP began in 1993 in the acquisition phase. In 1994 it began the monitoring phase into perpetuity. LCIP stands for the Land Conservation Investment Program. Steve recommended that we post the properties we monitor with the LCIP property posts and signs. He will provide the post ups and 25 signs. Their office is at 57 Regional Drive. They are housed in the Office of Community and Planning near DRED. They work directly for the Governor.
 - b. **Gordon Russell:**
 - a) Gordon told us that he attended the Holly Hills subdivision meeting last Saturday. They were looking at the impact of the subdivision on the broader environment.
 - b) Abijah Bridge update Background on Lake Horace Marsh: In the late 1950s people began to move in around Lake Horace. Docks were of increased importance to landowners. State was requested to lower the water level in Lake Horace 5-6 feet every year. The 200 acre marsh is deeply affected by the lowering and raising of the water levels. The Deering River runs through the marsh into Lake Horace. The marsh cleans the water as it enters the lake. In the fall, the water is pulled out of the marsh. At this same time, amphibians have already prepped for the winter. They bury themselves into the marsh. When the water is lowered, they are exposed and die. The marsh is currently devoid of all amphibian and turtle life. This is not natural. The plan has the water level increased around Memorial Day. Around this time, hawks and other birds build their nests and fish begin to spawn in the marsh. Suddenly, the water level goes up killing eggs and destroying nests. The Lake Horace Land Owners Association and the WCC held hearings in the past to mollify

the situation. The hearings did not work because majority rules. Now they are going to rebuild the bridge and this is the last chance to put a dam or barrier in to protect the marsh. All parties involved agree that the dam should be put in. Funds are needed to do it – about \$50,000. Gordon requested that the WCC put in \$20,000 from the Conservation funds. The DES (fish & Game) and the PWA will also be involved. A fish ladder would be an additional \$5-\$6 thousand dollars. One of the issues is the fresh water muscles are diminishing from the area. There are 8 species of these muscles and two are endangered. The muscles use white suckers as their hosts. The river is classified as “natural” on the south side. The dam will be put in the lower side – below the natural classification area. Tom had already talked about this project with the BoS. They are in favor of the plan. Ducks Unlimited will probably help to create the dam. After reading RSA36A:4, it was clear that the WCC can select to contribute to this project without bringing it to a public vote. A motion was made by Ellen Dokton and seconded by Andy Fulton that the WCC would contribute up to \$20,000 to support the construction of the dam subject to the approval of the BoS. Tom Carr will contact the BoS to be put on their agenda. Tom will notify Gordon Russell when he is put on the agenda so that Gordon can also attend the meeting.

3. **Rolling Hills Conservation Easement:** The Holly Hill property has been changed to Rolling Hills Property in the easement verbiage. Jim Coughlin has made some revisions to the conservation easement. The Planning Board has approved the changes subject to changes in the conservation easement verbiage. Questions remain: What does U/D/T mean? What does “consideration paid” mean? Tom Carr will call Jim Coughlin to find the answers to these questions and get this resolved. The revisions are fine with the exception of the two questions noted above. Andy Fulton moved to approve the Conservation Easement revisions pending answers to the two questions: What is u/d/t and what is meant by “consideration paid”? Pat Myers seconded. All approved.

Pat Myers recommends that boundary markers be placed around the easement so that we can see the easement areas. Tom Carr said that Eric Mitchell will be marking off the boundary of the property and that, perhaps, while he is doing that he can mark the conservation easement area with ribbons. The WCC can then mark the easement with the WCC tree markers.

4. **Planning Board:**

- a. Beatrice Bouchard has a one lot subdivision on Old Francestown Road. There are 10 acres. **It should be noted on the plan who delineated the wetlands.**
- b. Roger Hardy and Allen and Harry Ilsky on River Road – Lot line adjustment. It appears they are moving the line over to make more building space. No problem.
- c. Michael Melcher, Colby Road, Lot line adjustment plus two subdivisions. The only issue is that the plan does not show that they have a 50 foot building set-back from wetlands. This must be noted.
- d. John J. Moody – lot line adjustment and subdivision – Oak Ridge Road Helen Deareborne Road. Test pit and topography and wetlands should be shown if they exist, unless they are shown on sheet 2 which was not given to the WCC. The name of the designator needs to be included on the plan for delineation certification.

- e. Jean Wood and Town of Weare. Need to add the conservation zone boundary on the plan showing the 207.9 acres for conservation. Pat Myers informed the WCC that a draft purchasing sales agreement is going to the lawyer on Thursday and it will be signed as soon as possible. The surveyor has to “tidy up” some things first. Andy Fulton said that \$1200 was charged against the WCC budget. This money will be reimbursed from the Conservation Fund. Naomi will advise Bob Christensen and the BoS as to what happened. The time and place of closing needs to be stated on the Purchase and Sales Agreement. Whoever does purchase and sales for the town should do this. It may be the BoS. Tom will bring this up at the BoS meeting.

4. Zoning Board: No Business

5. Wetlands Bureau: The Wetlands Bureau is having a hard time with the Reservoir Road property. More on this later.

6. By Laws: Note on the first page that the By-Laws were adopted on 1-14-04. Add page numbers. On the 3rd page, top paragraph, change to read “to recommend denial of the application due to lack of representation and will be noted as such”. Add space between #4 and #5. Section XII: Applications and Forms – change “vote” to “review by the WCC required. Section VIII – change “chair or” to “chair of”. Section VI, E. Master Plan. Strike “each year” to the WCC will assist the WPB as requested with Master Plan review and update. Strike the remainder of that paragraph. Ellen Dokton moved to adopt the bi-laws pending revisions. Tom Carr will revise the by-laws and get copies to Bob Christensen, Naomi, Town Clerk, BoS and Paul Morin.

7. Andy Fulton moved to authorize Tom Carr to sign the PSNH check and ask Elaine Pearson to deposit the money into the WCC fund as extra money for the 2004 budget. Pat Myers seconded this motion. All approved.

8. Sensitive Species Warrant Article: Andy read the revisions he made to the article. Pat Myers moved to authorize Andy as Co-Chair to present this warrant article to the town as authorized by the WCC. Ellen seconded and it was approved.

9. Tom Carr is working with the SNH Planning Commission on updating the local resource protection priorities. Tom is gathering data from the SPNHF (Paul Doucher), the Weare Historical Society (Betty Straw), and the PWA (Pat Myers). Tom will get on the BoS and Planning Board agenda to discuss updating the information. It was suggested that the people who work with the cemetery will be interested in getting involved. The plan is to look at all conservation easements, all conservation land, the town forests and historical buildings and sites.

10. Pat Myers said that the WCC needs to talk with the BoS re Holly Hill open space being a part of the WCC conservation land.

11. Andy Fulton met with some abutters to the Lake Daniels property two Saturdays ago. Andy told Doug Cook that there might be a violation. Tom was contacted by Allyson Gorley. There is a conflict of interest for Tom because of his work on the property. He said

that it is a site specific violation. This will be left open until the spring when the Wetlands Inspector for this region can do an inspection. The property was looked at and Tom thinks there was a cease and desist order given. Andy has some pictures that he will develop for the WCC records.

Meeting adjourned at 9:52 P.M.

Respectfully submitted,

Ellen Dokton for John Ciampi

cc: town clerk
BOS
CC files